In the Claims:

1. (Currently Amended) A method ~~in a wireless communication system for a mobile terminal to transition to a dual mode, in which a packet switched connection and circuit switched connection are used together, from a single mode in which packets are transferred,~~ comprising ~~the steps of~~:

using a packet associated control channel to convey a radio link control or multiple access control message, while in a packet transfer mode,

maintaining packet switched resources in the packet-transfer mode, and

receiving a dual transfer mode assignment message as a result of using the packet associated channel to convey the radio link control or multiple access control message,

wherein in the dual transfer mode a packet switched connection and circuit switched connection may be used together.

2. (Currently Amended) The method of claim 1, wherein the radio link control or multiple access control message is from ~~the~~ a mobile terminal to a network in order to request the circuit switched connection, and wherein the dual transfer mode assignment message is from the network to the mobile terminal in order to initiate establishment of the circuit switched connection and allocate resources.

3. (Currently Amended) The method of claim 1, wherein the dual transfer mode assignment message is conveyed by the radio link or multiple access control message from a network to ~~the~~ a mobile terminal.

4. (Currently Amended) The method of claim 1, wherein the dual mode corresponds to a Class-A mode, and ~~the~~ is preceded by a single mode ~~corresponds~~ corresponding to a Class-B or Class-C mode.

5. (Currently Amended) The method of claim 1, wherein the maintaining ~~step~~ precludes idling packet resources.

6. (Original) The method of claim 2, wherein the radio link control or multiple access control message encapsulates at least one radio resource control message, or an additional radio link control or multiple access control message is introduced for each reply from the network.

7. (Currently Amended) The method of claim 6, wherein the radio link control or multiple access control message is a packet ~~CS~~ circuit switch command message.

8. (Original) The method of claim 6, wherein the radio link or multiple access control message is in response to paging by the network.

9. (Original) The method of claim 6, wherein the radio link or multiple access control message includes a packet circuit switch request.

10. (Original) The method of claim 6, wherein:

the mobile terminal makes a plurality of attempts to send the radio link or multiple access control message,

the mobile terminal starts a timer after the plurality of attempts, and

if the timer expires then packet resources are released.

11. (Original) The method of claim 6, wherein if the network cannot allocate packet switched resources then packet resources are released.

12. (Original) The method of claim 6, wherein if the network cannot allocate circuit switched resources the mobile terminal continues in packet transfer mode only.

13. (Original) The method of claim 3, wherein the dual transfer mode assignment message or an immediate assignment message includes an indication of being sent instead of a packet paging request message.

14. (Original) A computer readable medium encoded with a software data structure sufficient for performing the method of claim 1.

15. (Currently Amended) An apparatus ~~A mobile terminal for transitioning in a wireless communication system to a dual mode wherein a packet switched connection and circuit switched connection are used together, from a single mode wherein packets are transferred,~~ comprising:

a transceiver~~, for using~~ configured to use a packet associated control channel that conveys a radio link control or multiple access control message, while in a packet-transfer mode; and

a processing unit~~, for receiving~~ configured to receive a dual transfer mode assignment message via the transceiver as a result of the radio link or multiple access control message,

wherein the ~~mobile terminal~~ apparatus is ~~arranged~~ configured to maintain the packet switched connection in the packet-transfer mode while the radio link or multiple access control message is conveyed and the dual transfer mode assignment message is received, and

wherein in the dual transfer mode a packet switched connection and circuit switched connection may be used together.

16. (Currently Amended) The ~~mobile terminal~~ apparatus of claim 15, further comprising:

a packet switch device~~, for processing and passing~~ configured to process and communicate an uninterrupted data signal between the processing unit and the transceiver; and

a circuit switch device, ~~for processing and passing~~ configured to process and communicate a voice signal between the processing unit and the transceiver, the voice signal being initiated after the dual transfer mode assignment message is received,

wherein the apparatus is comprised by a mobile terminal.

17. (Currently Amended) The ~~mobile terminal~~ apparatus of claim 15, wherein the radio link or multiple access control message is transmitted by the transceiver, in order to request the circuit switched connection.

18. (Currently Amended) The ~~mobile terminal~~ apparatus of claim 15, wherein the the radio link or multiple access control message is configured to convey the dual transfer mode assignment message ~~is conveyed by the radio link or multiple access control message which is received by the transceiver~~, in order to initiate establishment of the circuit switched connection and allocate resources

19. (Currently Amended) The ~~mobile terminal~~ apparatus of claim 15, wherein the dual mode corresponds to a Class-A mode, and ~~the~~ is preceded by a single mode corresponding ~~corresponds~~ to a Class-B or Class-C mode.

20. (Currently Amended) The ~~mobile terminal~~ apparatus of claim 15, wherein maintaining the packet switched connection precludes idling packet resources.

21. (Currently Amended) The ~~mobile terminal~~ apparatus of claim 17, wherein the radio link control or multiple access control message encapsulates at least one radio resource control message, or an additional radio link control or multiple access control message is introduced for each reply from the network.

22. (Currently Amended) The ~~mobile terminal~~ apparatus of claim 21, wherein the radio link control or multiple access control message is a packet ~~CS~~ circuit switched command message.

23. (Currently Amended) The ~~mobile terminal~~ apparatus of claim 21, wherein the radio link or multiple access control message is in response to paging received by the transceiver.

24. (Currently Amended) The ~~mobile terminal~~ apparatus of claim 21, wherein the radio link or multiple access control message includes a packet circuit switch request.

25. (Currently Amended) The ~~mobile terminal~~ apparatus of claim 21, wherein:

the mobile terminal is configured to make ~~makes~~ a plurality of attempts to send the radio link or multiple access control message,

the mobile terminal is configured to start ~~starts~~ a timer after the plurality of attempts, and

if the timer expires then packet resources are released by the mobile terminal.

26. (Currently Amended) The ~~mobile terminal~~ apparatus of claim 21, wherein the dual transfer mode assignment message is sent instead of a packet paging request.

27-30. CANCEL

31. (New) An apparatus comprising:

means for using a packet associated control channel that conveys a radio link control or multiple access control message, while in a packet-transfer mode; and

means for receiving a dual transfer mode assignment message via the means for using the packet associate channel as a result of the radio link or multiple access control message,

wherein the apparatus is also for maintaining packet switched connection in the packet-transfer mode while the radio link or multiple access control message is conveyed and the dual transfer mode assignment message is received, and

wherein in the dual transfer mode a packet switched connection and circuit switched connection may be used together.

32. (New) The apparatus of claim 31, further comprising:

means for processing and communicating an uninterrupted data signal between the processing unit and the transceiver; and

means for processing and communicating a voice signal between the means for receiving the dual transfer mode assignment message and the means for using the packet associate channel, said voice signal being initiated after the dual transfer mode assignment message is received,

wherein said apparatus is comprised by a mobile terminal.

33. (New) A computer readable medium encoded with a software data structure sufficient for performing the method of:

using a packet associated control channel to convey a radio link control or multiple access control message, while in a packet-transfer mode,

maintaining packet switched resources in the packet-transfer mode, and

receiving a dual transfer mode assignment message as a result of using the packet associated channel to convey the radio link control or multiple access control message,

wherein in the dual transfer mode a packet switched connection and circuit switched connection may be used together.

34. (New) The computer readable medium of claim 33, wherein the radio link control or multiple access control message is from a mobile terminal to a network in order to request the circuit switched connection, and wherein the dual transfer mode assignment message is from the

network to the mobile terminal in order to initiate establishment of the circuit switched connection and allocate resources.